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PROPOSITION

FOR THE

PRESENT PEACE

AND

FUTURE GOVERNMENT

OF THE

BRITISH COLONIES

IN

NORTH AMERICA.

L O N D O N :

PRINTED AND SOLD FOR THE AUTHOR BY

**W. DAVIS, the Corner of Sackville-Street, Piccadilly; J. FOX,
in Westminster-Hall; T. EVANS, No. 54, Paternoster-Row;
and F. BLYTH, No. 37, Cornhill.**

17 Nov. 1775

PROPOSITION

RESPECT TO

FUTURE GOVERNMENT



NORTH AMERICA

LONDON

Printed and Sold by the Author

W. D. ...
in ...
...

P R E F A C E.

TH E subject of this Proposition being of great and universal concern, will, it is hoped, atone for the impropriety of its coming through the hands of the public, to the Members of that august body, who are alone invested with the power of adopting it. If it be too weak to be of use to the state, it will be thrown out, like the Spartan infant, to perish by neglect. But if it be favourably received by the public, then it will be better recommended to the guardians of the public welfare, than if it had been offered through the conveyance of any particular Member. By this means, it hopes to escape the opposite dangers of preju-

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dice or influence ; and to be heard, when reason sits undisturbed by the warmth of debate. It is a child of the public, and honestly designed for their service ; and springs from a wish to promote the restoration of harmony, peace and union, between the descendants of the same fathers, the subjects of the same Sovereign, and of the same laws. And it proceeds upon the principle of applying the rules of the constitution to the future government of the Colonies, in a way that their growth and extent has perhaps made necessary for preserving the peace of the empire within itself, and for securing the King and his family, and the civil and religious liberties of his subjects, against those powers, that have so often shewn themselves the enemies of both. The authority of the parent state may not be impaired by declaring new terms of reconciliation, and the motives to embrace them are the greatest

greatest on their side. We are suffering the interruption of a great part of our commerce, but they of all. The public expence must make every man in Britain a loser in proportion to his property, but the lives of our fellow-subjects in America are pledged on the continuance of the war. With these inducements on both sides, it would be an indignity to the good sense of all, to suppose any thing more was wanted, than to have the public mind informed, that it might meet on the terms of protection on one side, and obedience on the other; not by any alteration in the rules of the English constitution, but by a wise and just application of them, to the support of the executive power, and the security of the subjects. And as an institution may be found, growing out of the wisdom of our ancient laws, that have made equal provision for every branch of the state, it might be of the
highest

iv P R E F A C E.

highest use, to call upon the Judges of those laws, for their solemn opinion of such a legal establishment, as may be equally honourable to Great-Britain, and acceptable to the Colonies. And if this Proposition has the smallest tendency to promote a matter of so much importance^{to} to the happiness of his Majesty's reign, and to the present and future welfare of his subjects, the author of it will rejoice in having been used as an instrument for this purpose, in the hand of that gracious BEING, whose word and works are ever proclaiming peace upon earth, and good-will towards men.

London, 17th Nov. 1775.

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PROPOSITION

FOR THE

PRESENT PEACE

AND FUTURE

GOVERNMENT of the COLONIES.

TO spend a moment on the question of right that has produced the present conflict in America, is now as unnecessary as in me it would be presumptuous. The first members of both houses of parliament and the ablest judges of our laws have delivered opposite opinions, both as to the right and expediency of taxing the Colonies in England. But the majority of the legislative body have thought it consistent with their own constitution to do it. And the execution of these laws has unhappily been attended with the concurrence of such

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unfortunate circumstances, as to engage the crown in a civil war with its subjects in the Colonies. And it is to be feared if the great authorities that have been so divided in their opinions of the rights of the subjects in America, were now to unite in shewing the necessity of their obedience it would be ineffectual.

When subjects at the risque of their lives, assemble together in open violation of the laws of the government under which they live, and appear with arms in their hands to face the forces of their Sovereign in the field, reason and argument come too late to be heard. When the people of a country shew, they will rather die than give up what they conceive to be their rights, whether their persuasion proceeds from a just or mistaken idea, the consequences of their resistance must be the same. Upon which every one must make this melancholy reflexion, that after the controversy has cost ten thousand lives, the question from which it arose, will remain a subject of dispute for years to come, and to be decided by future wars—wars that ever have been the most fatal
both

both to the government and people of every country that have engaged in them.

Intestine divisions are frequently the most irreconcilable, and what was said of a desperate struggle between two individuals * may with too much probability be applied to Great-Britain and America—"When amity is dead, confidence cannot live, and who shall yield first is the question." Which ever side prevails it may be equally fatal to both.

Had it only been a county, a small island, or a single province that appeared in opposition to government, then might every private subject have stood unconcerned. But so unanimous do the people of America appear to be in their resistance, that in all the extent of its sea coast, there is not a single port found to supply our troops with provisions, though they have men of war to fetch them.

But from the ability of our generals and the bravery of the soldiers, humanly speaking, they

Sackville and Bruce.

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will destroy many thousands of the Provincials, if this unhappy conflict is continued. Yet on the other hand we must consider, that the men with whom we are fighting, are the sons of the same fore-father with ourselves. And the bravest *Roman* legions have told us, the difficulty of beating Britons upon their own ground. And men in rebellion are inspired with double motives to those that engage in common wars.

Whoever has examined the evidence of the present state of the Colonies, their number—their union, and how much their professions as farmers and sea men, tend to make them an hardy and active race of men, would be much concerned to see his country engaged in a war with such a people, were they not his brothers, his countrymen, and his friends. With these manifest advantages in their favour, that they are placed in a country, which over and above the support of its own inhabitants, has afforded provisions for many of the European markets, and most of the West-India islands for years past. But our troops and their supplies must pass

pass over an ocean of a thousand leagues before they arrive at the country that is the seat of this unfortunate war.

The lowest estimate of their inhabitants, must afford a greater number of men to bear arms, than Britain and Ireland has of soldiers to send against them. And was a difference to be supposed between the personal courage of the descendants of the same family, yet their being at home, fed with their usual provisions, inured to the climate, and acquainted with the country; must, man for man, give them an equality to any troops that can be sent against them.

But in producing submission to the laws they resist, much may be reckoned on the division of strength that may be made in America. Were any of the Colonies certain, that they must have us or the rest of America in arms against them, there might be some difficulty at present in their choice. But no colony can fear our resentment, for its keeping a peaceable neutrality, and it must see its danger
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in engaging in a war with its neighbours. The policy of an Indian nation could therefore hardly lead it, to take an active part in our favour from such motives.

But if we increase our naval strength and augment our land forces in America, the sudden exertion of both, may break the combination of the rebellious provinces, and put an end to the war.

While such a part of our national defence is thus employed on the other side of the western ocean, let us turn our attention to the East, from whence the enemies of the civil and religious liberties of the people of this country, have ever come. The combined interest of the Romish powers have every motive they ever had, for working the ruin of the object of their hatred—the protestant establishment. And our civil liberties and the commerce and independence that are the consequence of them, are equally offensive to the great monarchies with whom we are surrounded. But our danger and the motives of our enemies to destroy us, are

are increased beyond that of any other period of our history; by the treasures the Indies have been made to empty into our island. And may there not be courts in Europe, too strong to be restrained by the laws of nations, from uniting their policy and their arms against a country divided in itself, and claiming a part of its gold, by the same title by which some of our own subjects have obtained it? And unless we forget our own experience, of the prevailing maxims of government amongst some of the neighbouring states, we must expect to receive the strongest assurances of peace and amity, at the very moment they are preparing to make war for our destruction. But while we are cutting down the tree, they would be guilty of a childish precipitation to climb for the fruit. While Great-Britain is employed with her own hands, in levelling her walls of defence, they are not so unwise as to enter a new made breach, that perhaps is not yet so wide, but it might still close and overwhelm them. And while Englishmen are fighting with Englishmen, their common destruction will be advanced with greater rapidity, than by the united

ted efforts of all their enemies. These are not yet the days for weapons of violence, but for those arts of intreague, that can whisper *courage* in the camps of America, and the same hour promise *support* in the cabinet of England. They know the same intestine divisions that levelled with the ground the masters of the world, will sink the Empress of the seas. And surely we ought to remember, that the same causes that have ruined a Roman empire can only be prevented from destroying that of Britain, by maintaining in a state of union and mutual support, those great branches of the dominions on which the strength of the whole is dependant.

But is it not necessary for the good of all the subjects, that obedience to the laws be enforced in every part of the dominions? The supreme legislature of Great-Britain has declared, * its right to make laws to bind the kingdom and people of Ireland. In which general declaration is said to be included, the right of dispo-

* 6 Geo. 1. c. 5. And Commentaries, v. 1. p. 101.

sing of their property by taxation. But what would be the consequence of enforcing obedience to such an act. Again, one of the greatest writers on the laws and constitution of England in the present age affirms, that the British parliament might consistent with its powers, enact a law for altering the established religion of England or Scotland, notwithstanding the article to the contrary in the act of union.* But let the people of Great-Britain answer for themselves, if the execution of such acts, would not be resisted in every parish in the kingdom, and with as little fear of the greatness of the power they opposed, as the people of America now discover, in defence of what they think themselves equally intitled to possess. And could men be beat out of that to which they annex the idea of their liberty, or their right, they would be prepared for subjection to one government as soon as ano-

* "An act of parliament to repeal or alter the act of uniformity in England, or to establish episcopacy in Scotland, would doubtless, in point of authority, be sufficiently valid and binding." Commentaries, v. 1. p. 98. (7th octavo edition.)

ther, and become of little value to a state like ours, whose numbers are comparatively small, to those nations who are our enemies, by all the motives of envy and hatred to the religious and civil liberties from which we derive the strength that binds them. But interrupt our commerce and divide our strength, and the power of Great-Britain will neither be allowed in negotiation, nor feared in war. There may therefore be extremes of obedience in which those who think highest of the right, might wish to be very cautious of the exercise. Of which the learned author already quoted seems in the case of Scotland to be sensible. And whether the case of Scotland, which made an express compact, or that of America thinking they have an implied one equally strong, be the better, though on these principles the best is no security. Yet probably the resistance against the supreme authority would be alike in either, in proportion to their strength it would be the resistance of their feelings, and those the strongest that hope or despair could furnish.

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For ever therefore may all those questions of right, be buried in oblivion, that would place the British forces in a state of hostility with the inhabitants of England, Scotland, Ireland or America. For while the bravest subjects are in arms against each other, the numbers engaged on both sides, become as nothing in their common cause. Whenever this is their situation, then is the time of their danger. For how many ages together, were the divisions between the people in the north and south parts of this island, made the season of war by the enemies of both. And the present civil war in America, is probably not the less favourable to our enemies, by the distance to which it removes our arms of defence from the seat of government. And a short continuance of the unfortunate concurrence of events, that has produced such preparations to enforce obedience on one hand, and an universal spirit of resistance on the other, may soon put the fate of both, more in the power of our enemies, than our present animosities will allow us to believe. For nothing is more obvious in the downfall of states by intestine divi-

sions, than that they did not see their common danger, till their strength was too much engaged or broken to resist it.

To enquire whence these evils spring, how they have been increased, or whose fault it is that they subsist in their present dangerous extent, ought utterly to be thrown aside. Our neighbours, our brother's house is on fire ; the conflagration is spreading, and threatens to be universal. If each side tosses brands of fire upon the other, there will nothing remain in the event, but to determine which shall enter into possession of the ruins. Or whether some third, an enemy to both, shall not carry off the plunder, or build upon the indiscriminate mass of mutual destruction.

To proceed in the present measures, and determine the question by force of arms, the best to be hoped is, that neither side should be utterly ruined, and after great mutual damage we should sit down and wonder, at the labour it had cost us to inflame our animosities, increase our difficulties and dangers, and perpetuate the seeds of trouble to posterity ; to obtain

tain an acknowledgment, that our contest was to no profit, and ought to have had no beginning; and had weakened and dishonoured both sides by its continuance;—and that the worst side had fewer faults, and the best, which ever it be, more misapprehensions, than our present warmth and agitation will permit us to see. And lament that we had brought more and greater mischiefs than either expected or intended to the other, or than any acts of either could possibly deserve.

But by continuing the conflict, one side or other, sooner or later must prevail; and whenever that is decided, the consequence of victory may be as fatal to either, as the means of obtaining it is likely to be to both. The lives of our bravest officers and soldiers must be laid down to purchase the name of a right; for the short season the colonies may require to enable them to renew the dispute. And if victory ends on their side, it is most likely to put down the best form of government under which any subjects ever lived, and erect in its place a combination of petty tyrants, and keep
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the provinces of America in Venetian slavery for ages to come.

And must those fatal events be hazarded, for a mere question of doubtful disputation? And that it is only the name and not the substance for which we contend, is plain from the best evidence the nature of the case will admit,

By a message from the late king to the house of commons, repeated for four sessions together, and entered in the journals the 26th April, 1759, it appears that the Colonies not only contributed their proportion, but more than was reasonable for them to bear, and the house of commons made them compensation agreeable to his majesty's message, which is this: " His majesty being sensible of the active zeal and vigour with which his faithful subjects of North America have exerted themselves, in defence of his Majesty's just right and possessions, recommends it to this house to take the same into consideration, and to enable his Majesty to give them a proper compensation for the expences incurred by the respective provinces,

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in the levying, cloathing and pay of the troops raised by the same, according as the active vigour and strenuous efforts of the respective provinces shall justly appear to merit."

But it is said they were then only defending themselves in their own country, and it is therefore no proof of their readiness to support Great-Britain? It is plain neither the king nor house of commons saw their conduct in that light, and the conquered islands will tell that their troops were united with ours in making conquests for Great-Britain as well as in the defence of America. And it seems not an obvious distinction in the case of the body and the members between the defending that and defending themselves.

But it is said again the war is a proof they are not now willing to contribute to the support of government? Many of the forefathers of the Americans and ourselves, objected in the last century to pay the duty of ship-money, legally imposed in the opinion of a majority of the judges. That refusal was as good a proof
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that the people of England would not contribute any thing to the support of government, as it is that the Americans refuse to do it at this day. The question was then as it is now—the mode of laying the duties, not the reasonableness of granting them.

But they want to be independent, and that is the true cause of the war. They want then to be independent of the best form of government in the world—Of a people with whom they hold the most beneficial intercourse, and to whom they would certainly sooner wish to be related as fellow subjects, than to those of any other government upon earth, were they to be allowed the liberty of their choice.

But what proofs are there of this preference and attachment of the Colonies to their mother country? The plainest and strongest that the kindest parent could desire, or the most affectionate child can shew. Men bred in America, speak of England as their home, in the same manner as a son does of the house of his father.

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From all the circumstances of this unfortunate civil war, it cannot be believed that it was begun with any view to its continuance on either side. Much less can it be imagined, that the Colonies, unprepared as they were for war with such a power, began it with any view to independence. True it is that the Americans desire independence; but it is that of being able to retire with the fruits of their industry, to a country they revere as their own.

Is there then no means of obtaining a return of confidence and protection, so necessary to the happiness of both? Is there no medium between enforcing their obedience by a desperate war, and an unbecoming revocation of our just rights of superiority? If there is not, unfortunate are both indeed! For the concessions of one side might have as many inconveniences, as the compelled submission of the other. Our situation as an European state, exposes us to an unusual degree of danger during the continuance of the conflict, and the life of every subject that is lost in it, is an irreparable injury to his country and his friends. And

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the diminution of trade, and the increase of the public expence, unavoidable on the continuance of the war, are the misfortunes of that kind, most to be lamented:

These are a part of the certain evils and probable dangers that must now attend the exercise of our right of taxing America. As to the tax itself, there appears to be no evidence to believe, that they are not willing to grant their just proportion of the national expence. And this lays out of the question the necessity of the war to enforce the payment of that proportion, till they are so unreasonable as to refuse it.

On the other hand our acts of parliament, and the opinions of the judges of our laws, declare the possession of rights in the legislature of Great-Britain, that to enforce the execution of in England, Scotland, or Ireland, might produce, and humanly speaking would produce the same resistance as now appears in America. If therefore the dignity of legislature depends upon actual submission to the
rights

rights it possesses, then it becomes as necessary to enforce that submission in one part of the dominions as another. Legislature may alter the established religion of England, may establish episcopacy in Scotland, may tax the people in Ireland and America; and surely the dignity of government is no more impaired by allowing its right to remain unenforced in one of these instances, than in the other three. It is sufficient that legislature has that right in itself to make use of, with all the force the executive power can give it, whenever America shall refuse to contribute her just proportion of expence in the government of the empire, of which it is now become so considerable a part. But if all the wise and good purposes of government can be answered, by the ordinary administration of the civil powers, then the warmest advocates for the supremacy of legislature will admit, that it is more for the happiness of all his Majesty's dominions, that every part of them should remain in the quiet possession of those principles of civil and religious liberty, that their several institutions has permitted them to enjoy from father to son

for many generations.* And those that are no less jealous for the honour of the British arms, than the dignity of legislature, must grant that the bravery of our sea and land forces has been too well proclaimed by their victories, to depend at this day on compelling a part of our own subjects to relinquish a right, in the possession of which it is their greatest boast that they were born and educated.

The people in America are too sensible of the advantage of being subjects of the English constitution, for them to refuse their part in the support of its government. Whenever it has been required of them, they have done it in times past with great readiness and zeal, the king and parliament being the judges. They say they will do it for the time to come, and we can have no proof to the contrary but in our prejudices against them—prejudices that

* Mr. Hutchinson in his history of the Colony of Massachusetts Bay, has preserved a state of the taxes in the manner that Colony has been accustomed to pay them so far back as 1642,

may naturally have found their way into minds of great candour, from the influence of those characters amongst us who have taken an active part against America. But in justice to our distant fellow subjects in America, the proofs ought to be called for from the merchants trading to the Colonies, of the regard they have paid to integrity, even since their country has been in a state of hostility with our own. And on this evidence alone the injustice would appear, in condemning the people of America as united in arms to resist the claim of Great-Britain to their contributions to the support of her government. A claim as old as reason and the nature of things,—that the power that protects shall be maintained by all that are protected. A claim upon all the members of society, as little equivocal as the plainest rules of private justice amongst individuals. And to suspect the Americans as opposing the just demands of government to their equitable part of the general aid, is as reasonable as to accuse them of taking up arms to violate the established order of justice in any other instance. And to suppose the Colonies

Ionies to think they have no longer occasion
 for the protection of Great-Britain, and there-
 fore will not contribute to her support since
 she has delivered them from the fear of their
 enemies on the continent of America, is to
 suppose them intirely unacquainted with the
 present state of Europe. Certainly the Ame-
 ricans know as well as ourselves, that there
 are those insatiable monarchs, whose armies
 are ready to be led wherever they can gain
 new dominions for their masters. And if some
 of those powers scrupled not to hazard a war
 with Great-Britain, with an hope of erecting
 their standards over more American ground;
 certain it is our fellow subjects in America
 would have to defend themselves against an
 host of absolute sovereigns, if ever Great-Bri-
 tain became unable or unwilling to protect
 them. Under divine providence the security
 of the Colonies must depend on the power
 of Great-Britain. And that power on the
 union of all its dominions, in which the
 Colonies of America are now become a very
 considerable part. But as this has been briefly
 stated in the protest signed by many names of
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the first rank in the kingdom, it would be disrespectful to conclude this article in any other words. And from the dignity of the witnesses, the testimony must have weight with all—the end being peace. For say their Lordships, “ Great-Britain can never preserve by mere force, that vast continent and that growing multitude of resolute freemen that inhabit it ; even if that or any other country was worth governing, against the inclinations of all its inhabitants.” And as to the importance of the Colonies to the mother-country it is said, “ The commerce of Great-Britain with America was great and increasing, the profits immense, the advantages as a nursery of seamen, and an inexhaustible magazine of naval stores, infinite ; and the continuance of that commerce, particularly in times of war, when we most want support to our fleets and revenues, not precarious, as all foreign trade must be, but depending solely on ourselves. These valuable resources, which enabled us to face the united efforts of the House of Bourbon, are actually lost to Great-Britain, and irretrievably lost, unless redeemed by immediate
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and effectual pacification." As this passage at once shews the importance of the Colonies and the danger of the war, it may be proper to add from the same authority what is said of the disposition to peace in our fellow subjects in America. "We have beheld," say their lordships, "this part of his Majesty's subjects still making professions (in which we think it neither wise nor decent to affect a disbelief) of the utmost loyalty to his Majesty; and unwearied with continued repulses, repeatedly petitioning for conciliation upon such terms only, as shall be consistent with the dignity and welfare of their mother-country." And these are the terms on which the last declaration from the throne seems to extend the hand of the sovereign, as ready to lay the first stone of an altar to peace.

With these evidences of the disposition on all sides, the only difference can be about the means. First, Of preserving the dignity of Great-Britain. Secondly, The privileges of America upon their ancient footing. Thirdly, Without prejudice to the question of right, but

but to allow it to remain as it does with the other constitutional superiorities of the legislature over the rest of the subjects in England, Scotland, and Ireland. Fourthly, To enable the Colonies to give the same expressions of loyalty to his Majesty, as the subjects of any other part of the dominions, by granting their part of the supplies as a voluntary aid to government. And fifthly, To give the crown the same general means of controul over all its subjects in America as it has over the Commons of Great-Britain or Ireland, were they to refuse to grant the necessary supplies.

To promote those ends so ardently to be desired, is, submitted with great humility, the following

**Propositions for the present Peace and future
Government of the Colonies.**

I. That during the seasonable interruption the winter months will give to hostilities in America, the governors of the Colonies be

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directed

directed to call the assemblies of each province together, and to acquaint them with his Majesty's gracious intentions of affording them a legal opportunity, of manifesting the sincerity of their desires of a speedy reconciliation with Great-Britain,—by each assembly choosing a certain number of deputies (suppose) four members of the council, and twelve of the representatives of each province to meet at New-York or Philadelphia, and form an assembly of deputies.

II. And if the majority of the said deputies shall request his Majesty to appoint a lord lieutenant for America, that his Majesty will make such appointment, to take place with all convenient speed after their petition shall be presented, empowering the said lord lieutenant to concur with the deputies of his provinces in such wise, just and salutary measures, as may be thought most expedient for settling the present peace of America, and for establishing its future tranquility and allegiance upon the most lasting foundation.

III. That

III. That when the assembly of each province shall have met and made choice of their deputies agreeable to the foregoing design, all hostilities with respect to such province shall cease. And upon the publication of the resolutions of each province, for opening their ports to the usual intercourse with Great-Britain, all acts of parliament relative to the Colonies since the act for securing the dependency of his Majesty's dominions in America shall be suspended, during the pleasure of the legislature, with regard to such province, and all the proceedings of civil justice be revived, and the internal government restored to its usual course.

IV. That immediately upon the performance of these conditions on the part of each province, a general pardon and indemnity shall take place in favour of all in the said province.

V. The council and representatives of each province to choose from amongst themselves

the same number of deputies within one month after their first meeting each year. And the said deputies to assemble at such time and place as shall be appointed by his Majesty's lord lieutenant, over whom he shall preside in the same manner as his Majesty's governor doth over the assembly of each province. And the vote of the majority of the deputies shall bind all the provinces as to the several sums they shall raise for the support of government, that their settled tranquillity may not be interrupted by any one or more of them refusing to contribute such proportion as the majority of their deputies may have imposed. That all bills shall pass through the house of deputies, in the same manner as they now do through the house of representatives and council of each province, and shall receive the lord lieutenant's assent before they pass over for the sanction of Great-Britain, in the same manner as acts of assembly in the provinces are now passed by their several governors. And the acts of the lord lieutenant, council, and deputies thus passed in their general assembly, when they

they have received the royal assent, to be in force over all British America, as to all purposes of taxation, and apportioning the militia that shall be raised either in peace or war. In all other respects each province to retain that form of government to which it has been accustomed.

VI. The lord lieutenant to be commander in chief in America both of his Majesty's forces and of the militia of the provinces, and be vested with such super-intending powers for all purposes of civil government as may give the effect of the English constitution in America,

VII. The receivers of taxes in the several provinces to take their authority from the act of the lord lieutenant, council, and assembly of deputies, to levy and transmit the supplies to their treasurer, to be by him sent to England, or retained for the other uses for which they shall be levied,

VIII. In

VIII. In case any province shall delay to raise its proportion of the supplies under the act of its own government within the time limited, then the act of the lord lieutenant and deputies to have the same effect. And if the governor and assembly of any province shall not meet for one or more years, then the deputies last appointed from such province to remain members of the general assembly; but otherwise to be chosen within one month after the election of the representatives of the province, and to be under such limitations as to holding any place or appointment as the members of the assembly are to which they belong. And upon the decease of any deputy during the recess of the council or assembly of which he is a member, then the senior member in the assembly of that province shall succeed him.

IX. All the acts of the lord lieutenant, and deputies, contrary to the common law of England, and the acts and authority of the British parliament, are void.

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By this establishment the crown will maintain its constitutional weight. And what the public service requires to be communicated to the provinces, will be done to them all at once; by which means the executive power of the crown will acquire strength and dispatch. And the deputies sent from the representatives and council of each province, will bring the knowledge of the true state of all the Colonies together, and prevent any of them being injured by mistake, or favoured by partiality. The people will retain their constitutional security by the deputies who tax them returning amongst their constituents, to partake of the burthens they have laid upon them. This being the singular happiness of the subjects of the constitution of England, that they never can be oppressed but by themselves. And the whole number of deputies not being more than 144, their frequent election will be the more necessary; and the body that appoints them having to assemble yearly to attend the public business of their several provinces, those frequent elections will be more
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practicable than in other circumstances perhaps they might be. And the 48 deputies from the councils will be an equal security to the prerogative of the crown and the privileges of the people.

This subordinate legislative body will answer as to all America, what seems to have been intended as to the province of Massachusetts-Bay, by the charter granted by King William, that it should have a constitution as nearly resembling that of England as could be. The king appearing by the governor, the people by their representatives, and the council to answer in some degree that of the house of peers; the whole resembling subordinately the British parliament. And this assembly of deputies from all the provinces under his Majesty's lord lieutenant, will only be the application of the same powers, in a way perhaps that time and the growth of the Colonies have made necessary, had not the present interruption of our harmony required such an establishment as a means

means of peace. For had it been agreed on all sides, that the aid of the Colonies to their mother-country, should be adjusted between government and each province seperately, it certainly would have been a matter of great difficulty in practice to have done it. One province would have thought their neighbours paid too little, while they paid too much. The American department would have had no time left to attend to their common prosperity, from adjusting representations of one anothers condition. And their distance, and the fluctuation of circumstances, on which their comparative ability depended, would have made it impossible to have settled the proportion of each with any tolerable degree of justice. A good or bad fishery, a scarce or plentiful crop of rice, grain, or tobacco, would have made the best rule for this year an unfair one in the next; and redress to one province would have laid the foundation of complaints from the rest. And if government had exacted what any of them thought hard conditions, the case of one might be the case of all, severity would have

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produced union, force, resistance, and the peace of the empire would have been continually interrupted.

But when the wants of government can be communicated at once to deputies from all the provinces, it will be immediately known what their people can raise, and also when and in what manner they can do it most effectually for the service of government, and least burthen some to themselves. And was it true that they have not the inclination to grant any thing, the crown in that case has the same compulsory force over the people in America, that it has over the people of Great-Britain or Ireland, were their representatives to refuse the supplies. The laws that the subjects wanted, the crown may not assent to, till the subjects grant the supplies to the crown. The people, as their property increase, are continually wanting additions or alterations in their legal security, against those members of society who are no law to themselves; the people must therefore pay the expence of civil government, which the richest and best part of any community

nity stand most in need of as having most to lose, and being most disturbed by any act of violence. And it will be allowed that America as much requires this kind of security as any other part of his Majesty's dominions.

Subjects also want the protection of their government against foreign enemies, and whenever those of Great-Britain think it the season for attacking her dominions, the part that is most likely to be the object of assault, will certainly be that where our navy is least likely to be found; and as this is not the case with America in ordinary times, they therefore stand, as much in need, as we do, of this kind of service from government, and the constitution has allowed the crown to determine which of its dependencies are the first objects of protection. And it would be an unreasonable expectation in America to look for our fleets to guard their coasts, when they would neither contribute to build, victual, or man a single ship. These, and many other powers of controul the crown possesses over the subjects, to oblige them to grant supplies

to the support of government. And every one of these powers being applicable to the people of the Colonies, there is as little reason for supposing any other force necessary to oblige them to raise their just proportion of the supplies, as any other of his Majesty's subjects.

If any practicable means of blessing the Colonies with the privileges of the English constitution be adopted, it would be as great an imputation on their policy, as their loyalty to the king, and justice to their fellow subjects, to suppose they would not discharge their duty to the crown, with as great readiness and zeal as any other part of the dominions. If the peace gives them the possession of the privileges of English subjects, it is their interest to keep that peace, and support that government. And the means here proposed seem equally free from the objections of being inconsistent with the supremacy of Great-Britain to grant, or insecure for the Colonies to embrace. The crown trusts its dignity to an officer of its own appointment,—the people their property to deputies of their own choosing—men that know the state of every

every part of America, and embarked in the common welfare of its inhabitants. And the application of all sides of the system is neither unusual nor dangerous. Every part of the dominions has the most intimate experience of all the rules that are required to be exercised. It is only including all America in the same resemblance, that the learned New-England historian says, the different provinces already bears, "The government of every colony, like that of the Colonies of old Rome, may be considered as the *effigies parva* of the mother state."* The government established in each province, would remain without alteration, or interruption to their accustomed administration within themselves. Their appointing their deputies to meet the lord lieutenant of the crown, would not in practice be a matter of great trouble or expence to the people, who would be amply reimbursed for the charge of such a superintending governor, who was not of this or the other province, but equally engaged by his dignity

* Mr. Hutchinson's History, v. 1. p. 37.

and the honour of his office to promote the common good of them all. The presence in America of any of those great characters in whom the king reposed intire confidence, would soon dispel those unhappy impressions that have taken place in the minds of our fellow subjects in the Colonies. When they saw such an officer among them only employed in rendering the intercourse and commerce between all America and Great-Britain more universal and beneficial, they would become more attached to their sovereign and his government; and when no man thought himself less free or less happy in one part of the same dominions than another, all distinctions would be lost; every subject would feel himself, like the mariner, embarked in the common good; and the security, the honour and the success of all, would become the objects of his private interest. And there is no danger that a lord lieutenant of America, should ever erect himself into an independence of the sovereign and legislature that intrusted him with the powers of his office; those powers would only be delegated during pleasure, and the

the people over whom they were exercised, would be as much concerned to prevent that as Great-Britain. For the same person that had force enough to venture upon such a usurpation against his sovereign, must first make slaves of his subjects; and the Colonies are little to be suspected at present of turning the security given for their liberties, into an instrument of destroying them, in that way at least. Neither is there any danger on the other hand, that any province would separate itself from the rest, and withdraw its allegiance and dependence on the mother country, And when they all had the opportunity, under the representative of their sovereign, of exercising collectively those subordinate powers for which they contend, it cannot be supposed any of them should be so impolitic as to refuse to assemble with their sister Colonies upon the terms of the English constitution, or ever be so far deluded as to dream of living under any other government. As it must soon follow that the inhabitants of that province would forfeit the protection of its neighbours, and stand alone unsupported, if not opposed, by all

all the rest of America, and the forces of Great-Britain. Men in every country readily enlist under the banners of reason and justice, when self-preservation and interest are on their side; and the Duke de Sully says, the people never rise in any country in opposition to their government from a desire of contending, but from an impatience of suffering injuries.—And probably it is most for the dignity, as well as the interest of Great-Britain, that the conditions on which her subjects in America may return to their obedience, should at once be publicly declared to all the representatives of the people called together by proclamation for that very purpose; that every man and every province that has taken up arms against their mother-country, whether from a real or mistaken idea of her oppression, may lay them down with a thorough persuasion of her justice, that whenever occasion may require them to take them up again, it may be in support of that government they cannot but approve.

But if unhappily the war should be continued, and in the issue of it the Colonies are forced

forced to submit the taxes they are to pay to be laid upon them in England, and not by those whom they wish to entrust with that power; in that case, whatever the language of a vanquished people may be, their future conduct may be expected to say with the deputy of Privernum to the Roman senate,—“ We will submit while we are obliged, and then keep the peace no longer than we can break it with the hopes of better terms.” For what parent ever retained the duty and affection of his children by severity alone? On what foundation does the peace of that family stand, that is not built upon the union and mutual good-will of its different branches? A nation is but a family of greater size, divided in itself, it cannot stand: And werethe Colonies to practice the policy of refined nations, and suppress the declaration of their designs, it would only be to execute them more effectually. For when people are driven into a submission of which they are ashamed and sorry, and obliged to relinquish what they prized so highly, as to hazard their lives

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to retain; the tenure of peace with such a people must be, that which binds slaves and cowards, the timid and the abject; and such subjects are a burthen and disgrace to any government, and when they should be strong enough to be useful, they would be resolute enough to be free. And if one of the most martial and most absolute sovereigns the world ever saw, could not force his subjects to change the cut of their beards, little lasting good may be expected, by forcing men to a submission, against principles they will always retain, while they remember themselves as the descendants of Englishmen—principles in which they think resides the essence of their freedom, and in that their all. And every age and country bear witness to the effects of governing, or attempting to govern, a people, in any manner diametrically opposite to their settled persuasion. And the history of mankind is only one chain of these instances.

The Persian empire seems to have fallen by exhausting its strength in the reduction of
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its provinces, which were governed with great severity; till at length, they preferred the despotism of a conqueror to that of their arbitrary governors; and Alexander ascended the throne of Darius, with the same or greater facility, than his paternal throne in Macedonia.

The Carthaginian empire was broken in Spain, Sicily, and Sardinia, by the comparison between the Roman government, which was then mild and moderate, and the Carthaginian rigour and excessive imposts.

The Grecian empire fell by the disunion of its parts, and their jealousies of each other; the stronger tyrannizing over the weaker; and the weaker calling in sometimes the Persian king, their natural enemy; sometimes Macedonia, and afterwards the Romans, and these successively freed them from domestic oppression, to subject them to foreign tyranny.

The mighty and populous states of Gaul fell by the art of Cæsar, in breaking them

one against another; as he had used the civil wars of Egypt, to obtain that kingdom, and the civil wars of Rome, to swallow up the liberty of his country, and make Rome bow to slavery.

Agefilas, who shook the Asiatic world to its centre, and obliged even Epaminondas, the first name of immortal Greece, to retreat from the walls of Sparta, though ready to be betrayed by her own citizens; when he was complimented on the victory of Coronea over the Corinthians, and saw ten thousand Greeks lying on the field, wept as on the defeat of his country, and said something to this effect: Unhappy Greece, in destroying thyself so many brave men, who were sufficient to have chastised the insolence, and punished the injuries of Persia!

There perhaps never was a senate which made so great concessions as the Roman, nor yet any whose dignity stands higher in the esteem of mankind.

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When the famine pressed the republic, and a war with the Volscians was on foot, the Romans would not serve. The senate, fierce as they were, and tenacious with great reason of military discipline, sent Menenius Agrippa, the most popular of their body, by origin a Plebeian, to appease the sedition. He gently won them over; the senate condescended to grant them terms, and to give them the Tribunitian college, who were to be of the people only, to whom there was an appeal from the consuls, and their persons were inviolable. And the senate, not merely waived a speculative proposition of right, but really receded from a great part of their executive and legislative authority.

When the tyranny of the decemvirs had oppressed them, the people made a secession as they had done before to the Aventine Mount,—deputies were sent from the senate to recal them on terms:—the deputies, on the part of the people, rested upon such terms, as says

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Livy, made it evident that they fought more from equity than from arms—the restoration of the Tribunitian power,—the want of which had caused the division, and indemnity to all who might be called in question for raising the people to arms. The only harsh proposition, he says, was that the decemviri might be given up, and they threatened to burn them.

The reply by the deputies of the senate was, “What has proceeded from deliberation in the requisition made by you, is so just and equitable that it ought to have been offered you unasked; for ye have asked security for your own liberty, not licence for assaulting that of others. But what ye have sought from resentment, is rather to be forgiven than indulged.—He is free and happy who lives in a state, neither suffering an injury nor inflicting one; to have your liberty restored and secured to you is enough for you to ask.” The people were unanimously content.

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The Italian states by destroying each other, had made way for the Roman empire, and after the fall of that empire the same spirit again exerted itself with the same fatal effects, to which the servitude and weakness of those states may still be ascribed.

The civil wars in France had nigh ruined that kingdom, when our Henry Vth interposed ~~as~~ the sense of the common enemy united them at that time, and Agincourt, as it has justly been observed, was much less fatal than France against itself would have been soon.

The German principalities, by their continual discords amongst themselves, have been generally entangled in the quarrels, or a prey to the ambition of their neighbours.

The disunion of Portugal from Spain, and the signal rise about the same time of the united provinces, and the causes and effects of these several evils, are too recent to need explanation or enlargement. And we stand too near to
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the date of the treaty of partition, to make it necessary to say any thing of those domestic divisions that produced the dismemberment of the kingdom of Poland.

Happy will it be for the subjects of Great-Britain, if their liberties, and the power of the state to defend itself, shall remain unimpaired by the same causes that have been so fatal to the government and people of so many countries. But it may be said that none of those instances bear an exact similitude to Great-Britain and America. And the circumstances being different, it cannot follow that there should be an agreement in the consequences. In cases so complicated as the situation of nations, it is certainly impossible to find two that are exactly parallel, and yet it would be against the evidence of all history to say, that the causes of the downfall of the most powerful states did not bear the greatest similitude, in such a variety of instances, as ought to carry conviction to the greatest infidel in politicks—that a kingdom divided against itself cannot stand. A divine position demonstrated, like
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every other sacred truth, by the nature of things, and in this case of the fall of empires, established by the concurring testimony of all ages and nations; every instance serving to prove, that unity is strength, and discord destruction—that mildness preserves friends, and violence multiplies enemies.—That in forgiveness there is glory—in revenge shame. And that no government has ever been a gainer by enforcing obedience against the general sense of its subjects in any country. And in the case of the Spanish provinces in Holland, when they thought they could not prevail against their government, their whole council made an earnest and solemn offer of the dominion of these provinces both to England and France; but being refused by both crowns, their hatred of Spain grew to that height, that they were not only willing to submit to any new dominion rather than return to the old, but were even upon the counsel of burning their great towns, wasting and drowning what they could of their own country, and going to seek some new seats in the Indies.* So that

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* Sir William Temple's Observations upon the United Provinces of the Netherlands, v. 1. p. 33.

had the government of Spain been successful, it would have had small cause for rejoicing at a victory over its own subjects. And Sir William Temple concludes the catalogue of the causes of this desperation in the provinces, with “ the execution of Count Egmont, the patriot of Holland, by the Spanish governor, and the imposition of taxes against the customary forms of government, in a country where a long derived succession had made the people fond and tenacious of their ancient customs and laws.” And to shew how differently the events of such conflicts may prove to the conjectures of the wisest men, we need only recollect that it was said very early in the design of enforcing obedience in America, that if government could not prevail, we should only be where we were. But the irreparable losses that have already taken place, will probably make it safer for us to form our expectations of the events to come, on the evidence of past ages and our own experience, than upon any conjectures. The highest human wisdom is not always proof against the fallacy of those inclinations, that prompt the ablest men to pursue measures that are neither warranted

warranted by reason nor justified by necessity. And this was so remarkably the case when the crown of Spain lost the kingdom of Portugal, that the very measures the minister of Philip adopted for securing the dominion of their master, was the means that united the minds of the Portuguese in the choice of the Duke of Braganza, and enabled him to drive the forces of Spain out of Portugal. But the people of that country have small cause for rejoicing at the victories of their forefathers—they only changed one absolute master for another. And for us to be in any degree in the situation in which we were, before our difference with America began, will require the best prudence and temper on both sides. As conquerors we must be in a worse situation, we shall have changed love and permanent dominion, for fear instability and servile obedience. As defeated what shall we say or think. Peace and a speedy reconciliation can alone bring back the current to its former channel, from whence our mutual happiness flowed, before it be dried up or forced into another course, to the mutual and perhaps irretrievable loss of both England and America.

The motives that have induced the people in the Colonies to hazard their lives, are the same that arose in the minds of men a thousand years ago, and the consequences of the contest ought to be estimated from the agreement of the motives and the powers they have to exert, and not the similitude of the weapon they use or the ground they stand upon. And if the conduct of Great-Britain to America is to be determined by the evidence of history, there are no inducements for prosecuting the present war, from the most successful use of arms by any government against its own subjects. Neither have subjects had more reason to boast of success against their governors; they have in general paid down the lives of their bravest citizens to purchase subjection to a worse form of government; better than that of England the Colonies cannot have. The reasons therefore on both sides call aloud for peace; and were the people of America to discover more bravery than ever men did before, and those that prosecute the war against them to shew more fortitude in their measures than has ever yet appeared in the world, neither that courage nor that fortitude

tude can write the names of either party upon any monument like that of peace—peace to secure the greatest mutual good of Great-Britain and the Colonies, and avoid the highest probable danger to them both. And if the British with the Roman senate listen to the requests of the people, ages to come will equally admire their moderation, their wisdom, and their dignity. The first citizens of America will prove themselves the best friends of their country, by securing to it the lasting protection of Great-Britain. The best blessings of both must be found in peace and union, and these ends can only be advanced on both sides by moderation, a prudent and generous forbearance, and a benevolent interpretation of mens thoughts and conduct. And if any side can be backward in embracing any terms of effectual accommodation, the consequences are not new or of little weight, and the guilt would not be less than the misery that is likely to ensue. The peace of the world, and certainly that part of it in which Britons are most concerned, and the civil and religious liberties of them and their posterity, must stand exposed to a very unusual degree of danger, during

ring every days continuance of a civil war with
so great a part of the empire, as our American
Colonies now make. May therefore the Au-
thor of peace, in whose hands all things are
flexable, increase every tendency to peace!
May He who is wisdom, power, and goodness,
give accomplishment to this or any other mea-
sure that may be proposed for the return of
confidence between Great-Britain and her chil-
dren, and for establishing their mutual amity
and goodwill upon the best and most lasting
foundation!



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